

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

vs.

§

BYRON JOE BEARD

§

DAVID J. MALAND, CLERK
BY
DEPUTY _____

Case No. 4:03cr159(3)
(Judge Brown)

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for the revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court. It is further

ORDERED that Defendant's supervised release is revoked and Defendant is committed to the custody of the Bureau of Prisons to be imprisoned for a term of twenty-one (21) months, with no supervised release to follow. While incarcerated, it is recommended that the Defendant complete the 500-hour drug rehabilitation program.

SIGNED this 23 day of May, 2005.


PAUL BROWN
UNITED STATES DISTRICT JUDGE